

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KEITH BAKER,

Plaintiff,

V.

STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS.

Defendant.

Case No. C08-5081 FDB

ORDER ADOPTING REPORT  
AND RECOMMENDATION  
DISMISSING COMPLAINT  
WITHOUT PREJUDICE

This matter comes before the Court on the Magistrate Judge's recommendation that Plaintiff's motion to voluntarily dismiss his action pursuant to Rule 41(a)(1) be granted. Plaintiff has not filed an objection. The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's Complaint [Dkt. # 4] is **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure; and
- (3) The Clerk is directed to send copies of this Order to Plaintiff, to counsel for Defendants, and to the Hon. Karen L. Strombom.

DATED this 7<sup>th</sup> day of April, 2008.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE